

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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GRAPHIC COMMUNICATIONS  
LOCAL 1B HEALTH & WELFARE  
FUND "A", et al.,

Plaintiffs,

v.

**ORDER**

Civil File No. 09-2203 (MJD/JSM)

CVS CAREMARK CORPORATION,  
et al.,

Defendants.

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Perrin Rynders, Gary J. Mouw, and Bryan R. Walters, Varnum, LLP; David L. Hashmall, Felhaber, Larson, Fenlon & Vogt, P.A.; and Brian A. Glasser and John W. Barrett, Bailey & Glasser LLP; Counsel for Plaintiffs.

Brian J. Murray and Tina M. Tabacchi, Jones Day, and David R. Marshall and Joseph J. Cassioppi, Fredrikson & Byron, P.A., Counsel for Defendant Wal-Mart Stores, Inc.

Robert H. Griffith and Andrea K. Zollett, Foley & Lardner LLP, and Lewis A. Remele, Jr. and Christopher R. Morris, Bassford Remele, P.A., Counsel for Defendants CVS Caremark Corporation, CVS Pharmacy, Inc., Caremark, LLC, Caremark Minnesota Specialty Pharmacy, LLC, and Caremark Minnesota Specialty Pharmacy Holding, LLC.

James K. Langdon, Dorsey & Whitney, Counsel for Defendants Snyder's Drug Stores (2009), Inc., Snyder's Holdings (2009), Inc., and Snyder's Holdings, Inc.

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Kevin D. Hofman and Ronald B. Peterson, Halleland Habicht P.A., Counsel for Defendant Coborn's Incorporated.

Todd A. Noteboom, Leonard, Street & Deinard, P.A., Counsel for Defendant Walgreen Co.

Craig S. Coleman and Wendy J. Wildung, Faegre & Benson LLP, Counsel for Defendant Target Corporation.

Tracy J. Van Steenburgh, Nilan Johnson Lewis P.A.; and Todd Grant Gattoni, Jill M. Wheaton, and Lisa A. Brown, Dykema Gossett PLLC; Counsel for Defendants Kmart Holding Corporation, Sears, Roebuck & Co., and Sears Holdings Corporation.

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated October 13, 2011. [Docket No. 151] Defendants filed objections to the Report and Recommendation.

Based upon the thorough briefing in this case, as well as the transcript of oral argument on this motion before Magistrate Judge Mayeron, the Court concludes that no further oral argument is necessary. Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated October 13, 2011.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**

**HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated October 13, 2011 [Docket No. 151].
2. This matter is **REMANDED** to the District Court for the Fourth Judicial District, Hennepin County, Minnesota.

Dated: November 18, 2011

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court